

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MARCOS RODRIGUEZ,

Petitioner,

19 CIVIL 8398 (PAE)(SLC)

-against-

JUDGMENT

WILLIAM LEE, Superintendent of the Eastern
Correctional Facility,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion & Order dated March 13, 2023, Judge Cave's perceptive, comprehensive, and convincing Report and Recommendation is adopted in full. The September 10, 2019 petition for a writ of habeas corpus is denied. The Court declines to issue a certificate of appealability. Rodriguez has not made a substantial showing of a denial of a federal right. Appellate review is therefore not warranted. *Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005); 28 U.S.C. § 2253. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Order would not be taken in good faith. Therefore, in forma pauperis status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 445 (1962); accordingly, the case is closed.

DATED: New York, New York
March 13, 2023

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk